

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO. 1:20-CR-228
	:	
	:	
Plaintiff,	:	JUDGE BENITA Y. PEARSON
	:	
-vs-	:	
	:	
WAYNE NORRIS,	:	<u>DEFENDANT'S MOTION</u>
	:	<u>FOR RELEASE ON BOND</u>
Defendant.	:	

Defendant, through counsel, moves this Court for release on unsecured bond with conditions of house arrest and location monitoring pursuant to 18 U.S.C. § 3142(b), (f)(2)(B), or (i).

On March 11, 2020, Wayne Norris was arrested in the instant matter. On March 19, 2020, he was charged in a two count Indictment with possession with the intent to distribute. (R. 3: Indictment). On April 7, 2020, Mr. Norris was detained pending resolution of this case. (R. 14: Waiver of Detention Hearing and Order). After reviewing discovery and engaging in negotiations with the government, Mr. Norris filed a Notice of Intent to Plea on April 29, 2020. (R. 29: Notice of Intent to Plea).

There are two relevant portions to 18 USC §3142 that allow for this Court to release Mr. Norris on house arrest to allow him to obtain his necessary medical treatment as set forth in the Sealed Supplement to this Motion. The first is 18 USC §3142(f)(2)(B):

The hearing may be reopened, before or after a determination by the judicial officer, at any time before trial if the judicial officer finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the

appearance of such person as required and the safety of any other person and the community.

The second is 18 USC §3142(i) as follows:

The judicial officer may, by subsequent order, permit the temporary release of the person, in the custody of a United States marshal or another appropriate person, to the extent that the judicial officer determines such release to be necessary for preparation of the person's defense or for another compelling reason.

These provision provide alternative options for the Court to facilitate Mr. Norris's release to allow his medical treatment as soon as it can be rescheduled.¹ First, his worsening medical condition and the impossibility of a referral to the necessary specialist due to the COVID 19 pandemic is information that did not exist at the time of the detention hearing. Alternatively, the same information constitutes a compelling reason for his temporary release, for the same reasons.

For these reasons, Mr. Norris requests that the Court grant him bond with conditions of house arrest and location monitoring.

Respectfully submitted,

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¹ See, Defendant's Supplement to Motion for Release on Bond filed Under Seal.